

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES JENKINS III,

Plaintiff,

v.

JAMES FREEMAN,

Defendant.

ORDER

09-cv-323-bbc

Plaintiff James Jenkins III, a prisoner at the Wisconsin Resource Center in Winnebago, Wisconsin, is proceeding on his claim that defendant James Freeman is subjecting him to a substantial risk of serious harm by encouraging other prisoners to attack him. Plaintiff has submitted a letter that I construe as a motion for appointment of counsel. However, as I explained in this court's July 14, 2009 order in this case, before I can consider such a motion, I must first find that plaintiff made reasonable efforts to find a lawyer on his own and was unsuccessful or was prevented from making such efforts. Jackson v. County of McLean, 953 F.2d 1070, 1073 (7th Cir. 1992). To prove that he has made reasonable efforts to find a lawyer, plaintiff must give the court the names and addresses of at least three lawyers who he asked to represent him in this case and who turned him down. Because

plaintiff has not complied with that requirement, his motion will be denied.

I note further that plaintiff asks for a preliminary injunction against defendant for continually “messing with” him. As with his request for appointment of counsel, plaintiff should be aware from a previous order in this case that a letter is not the appropriate way to seek such relief, so his request will be denied. Plaintiff’s letter fails to comply with this court’s procedures for obtaining injunctive relief as described in a document titled Procedure To Be Followed On Motions For Injunctive Relief, a copy of which was sent to plaintiff along with the court’s August 14, 2009 order in this case. Plaintiff must file with the court and serve on defendant proposed findings of fact supporting his claim, and submit with his proposed findings of fact any evidence he has to support his request for relief.

Should plaintiff wish to continue to seek appointment of counsel or a preliminary injunction, he should follow the procedures explained to him in this and previous orders. Any further letters he submits containing requests that continue to fail to satisfy this court’s requirements will be disregarded.

ORDER

IT IS ORDERED that plaintiff’s motion for appointment of counsel and preliminary

injunctive relief, dkt. #21, is DENIED.

Entered this 5th day of October, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge